

Montgomery County, Maryland

COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850
240/777-7900 • TTY 240/777-7914 • FAX 240/777-7989 • www.montgomerycountymd.gov/council

The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office or visit our website to obtain updates.

This meeting will be televised live on CCM Channels Comcast 6, RCN 6, and Verizon 30; repeated on 9/18/09 at 7 pm

Tuesday, September 15, 2009

8:30 - 9:30 **COFFEE** with the County Executive (*6th floor Council Conference Room*)

(.5) 9:30 - 9:45 **INTERVIEWS** - Applicants for Housing Opportunities Commission (*6th floor Council Conference Room*) (Ferber)

10:00 **INVOCATION** - Pastor Jan P. Lookingbill, Emmanuel Lutheran Church, Bethesda

10:05 **GENERAL BUSINESS** (Lauer)

A. **Announcement** - Agenda and Calendar Changes
• The public hearing on the **White Flint Sector Plan** will be held on October 20, 2009 at 7:30 pm.

(1) B. **Acknowledgement** - Receipt of Petitions

C. **Action** - Approval of Minutes: July 21, 2009

(2) 10:10 **CONSENT CALENDAR**

A. **Introduction** - Resolution regarding Spending Affordability Guidelines for FY11 Capital Budget and FY11-16 Capital Improvements Program (Orlin)
Public Hearing is scheduled for 9/22/09 at 1:30 pm.

B. **Introduction** - Resolutions to support applications for the State's Community Investment Tax Credit Program: Jewish Social Service Agency (Davidson)
Action is tentatively scheduled for 9/22/09.

C. **Introduction** - Resolution to endorse the Maryland Economic Development Assistance Authority and Fund (MEDAAF) grant: Montgomery County's Small Business Revolving Loan Fund (Ferber)
Action is tentatively scheduled for 9/22/09.

D. **Introduction** - Resolution to approve categorical transfer of \$7,700,000 for MCPS' FY09 Operating Budget (McGuire)
ED Committee worksession tentatively scheduled for 9/21/09.

(2) 10:10 **CONSENT CALENDAR** *(continued)*

- E. **Introduction** - Special appropriation to the MNCPPC'S FY10 Capital Budget - \$2,214,000 for the Montgomery Regional Office Renovations (Source: Certificates of Participation) (Michaelson)
Public Hearing is scheduled for 10/6/09 at 1:30 pm.
- F. **Introduction** - Amendment to the MNCPPC's FY09-14 Capital Improvements Program - \$1,385,681 for SilverPlace/MRO Headquarters Mixed-Use Project, to change the funding source from Certificates of Participation to County Current Revenue (Source: County current revenue) (Michaelson)
Public Hearing is scheduled for 10/6/09 at 1:30 pm.
- G. **Introduction** - Supplemental appropriation to the County Government's FY10 Operating Budget, Montgomery County Fire and Rescue Service - \$1,001,910 for Federal Emergency Management Agency (FEMA) National Urban Search and Rescue (US&R) Response System Grant (Source: Federal grant) (Davidson)
Public Hearing/Action is scheduled for 9/29/09 at 1:30 pm.
- H. **Introduction** - Special appropriation to the MNCPPC's FY10 Operating Budget, Department of Parks, Enterprise Fund - \$150,000 for the Sligo Creek Golf Course (Source: General Fund) (Michaelson)
Public Hearing is scheduled for 9/22/09 at 1:30 pm.
- I. **Introduction** - Resolution to transfer \$1,311,070 project balance within the MCPS' FY10 Capital Budget to Unliquidated Surplus: (Levchenko)
• \$755,000 from Bethesda Chevy-Chase High School Addition
• \$556,070 from Poolesville High School Laboratory Upgrades and Addition
Action is tentatively scheduled for 9/22/09.
- J. **Introduction** - Resolution to transfer \$2,112,070 project balance within the MCPS' FY10 Capital Budget from Unliquidated Surplus: (Levchenko)
• \$430,790 to Stormwater Discharge management
• \$1,681,280 to Roscoe R. Nix Elementary School
Action is tentatively scheduled for 9/22/09.
- K. **Receipt and Release** - Office of Legislative Oversight Report 2010-2, Succession Planning in Montgomery County Government and Public Schools (Bonner-Tompkins)
ED/MFP Committee worksession tentatively scheduled for 10/12/09.
- L. **Receipt and Release** - Office of Legislative Oversight Memorandum Report 2010-1: Data on Transit-Related Crime in Montgomery County (Howard)
PS Committee worksession tentatively scheduled for 10/15/09.
- M. **Action** - Resolution to support application for a State of Maryland Neighborhood Business Works Program loan: Hook and Ladder Restaurant (Davidson)

(3) 10:15 **WORKSESSION** - I-270/Corridor Cities Transitway (CCT) Project Planning Study (Orlin)

11:15 DISTRICT COUNCIL SESSION

- (4) A. **Action** - Consideration of Hearing Examiner's Report and Recommendation: (Zyontz)
- Application No:** G-878
- Applicant:** Germantown, LLC (Cindy Bar, Attorney)
- Property:** 8.46 acres located at 18451 Mateny Road
- Action:** Rezone from C-1 to RT-15
- Recommendations:** **Planning Staff:** Approve
- Planning Board:** Approve
- Hearing Examiner:** Approve

12:00 RECESS 12:00 - *Lunch Meeting with Board of Education (5CCR)*

- (5) 1:30 **PUBLIC HEARING - Expedited Bill 30-09**, Personnel - Guaranteed Retirement Income Plan - Retirement Savings Plan (Drummer)
Action is tentatively scheduled for 9/22/09.
- (6) 1:30 **PUBLIC HEARING - Bill 31-09**, Administration - Consideration of Bills - One Subject(Drummer)
MFP Committee worksession tentatively scheduled for 9/21/09.
- (7) 1:30 **PUBLIC HEARING - Expedited Bill 32-09**, Taxation - Impact Taxes - Inflation Adjustment - Temporary Suspension (Faden)
MFP Committee worksession tentatively scheduled for 9/21/09.
- (8) 1:30 **PUBLIC HEARING - Zoning Text Amendment 09-06**, Town Sector (TS) Zone - Minimum area (Zyontz)
PHED Committee worksession tentatively scheduled for 9/21/09.
- (9) 1:30 **PUBLIC HEARING/ACTION - Special appropriation to the County Government's FY09 Operating Budget, Department of Police - \$53,330 for Byrne Justice Recovery Act (BJRA) Grant (Source: Federal grant)** (Farag)
- (10) 1:30 **PUBLIC HEARING - Expedited Bill 29-09**, Bond Authorization (Faden)
Action is scheduled at the conclusion of the hearing.

2:00 LEGISLATIVE SESSION Day # 35

- (11) A. Introduction of Bills
- **Bill 33-09**, Inspector General - Attorney, sponsored by Councilmember Ervin and Council President Andrews and Councilmembers Navarro, Floreen and Knapp (Faden)
Public Hearing is scheduled for 10/6/09 at 1:30 pm.
- (12) B. Call of Bills for Final Reading
- **Expedited Bill 29-09**, Bond Authorization (Faden)

- (13) 2:10 **ACTION** - Resolution to consolidate previously authorized notes for sale and issuance as a single issue (Faden)

2:15 **DISTRICT COUNCIL SESSION** (*continued*)

- (14) B. **Introduction** - Zoning Text Amendment 09-08, Commercial Residential (CR) Zones - Establishment, sponsored by the District Council at the request of the Planning Board(Zyontz)
Action - Resolution to establish public hearing for 10/20/09 at 7:30 pm.
- (15) C. **Action** - Zoning Text Amendment 09-04, Rural Neighborhood Cluster (RNC) Zones - Equestrian facilities (Zyontz)
PHED Committee recommends approval.
- (16) D. **Reconsideration/Amendment/Readoption** - Development Plan Amendment (DPA) 09-1 for the purpose including exhibit references in the approval resolution (Zyontz)

3:00 **ADJOURN**

7:00 **PUBLIC HEARING on the following:**

- (17) • Gaithersburg West Master Plan (Michaelson)
- (18) • Zoning Text Amendment 09-07, Life Science Center (LSC) Zone - Revisions (Zyontz)
PHED Committee worksessions tentatively scheduled to begin on 9/29/09.

Thursday, September 17, 2009

7:30 **CONTINUATION OF PUBLIC HEARING on the following:**

- Gaithersburg West Master Plan (Michaelson)
- Zoning Text Amendment 09-07, Life Science Center (LSC) Zone - Revisions (Zyontz)
PHED Committee worksessions tentatively scheduled to begin on 9/29/09.

Note Schedule Change: The **Public Forum** on Executive Regulation 03-09, Agricultural Land Preservation Easement Purchases (Building Lot Termination Easement Program) has been rescheduled for Thursday, October 6, 2009 at 7:30 pm.

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on September 22, 2009:

Board of Social Services: Ashok Batra, Carolyn Branson, G. Bruce Vanderver, Jarnitha Woodson

Commission on Aging: Grace Whipple, Miriam Kelty

Commission on Juvenile Justice: Lee Haller

Commission on Landlord-Tenant Affairs: Tangela Bullock, Nancy Cohen, Laura Murray, Jan Patterson, Jon Cook, Luther Hinsley, David Peller

Commission on People with Disabilities: Mark Maxin, Daphne Pallozzi, Stephen Riley, Judy Ann Hanger, Mark Winans, Irving Shapiro, William T. Markwood, Seth Morgan, Ana Torres-Davis

Criminal Justice Coordinating Committee: Maurice Sessoms, Marlene Beckman, Patrick Hoover, Judith Whiton

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on September 22, 2009 (*continued*):

Department of Permitting Services Advisory Committee: Nancy Regelin

Domestic Violence Coordinating Council: Shirley Brandman

East County Citizens Advisory Board: Saschane Stephenson

Energy and Air Quality Advisory Committee: Kevin Allen, Edward Barbour, Jody Foster, Dwight French, Naomi Friedman, Steven Gibb, James McDonnell, J. Stephen Shaw, Paul Bubbosh

Workforce Investment Board: Kate Garvey, Sandra Navidi, Harriet Shapiro

FUTURE COUNCIL MEETINGS

County Council meeting notices are posted on the bulletin board in the fifth floor lobby of the Council Office Building in Rockville, pursuant to State law.

Note: See the COMMITTEE AGENDA for a listing of the Committee meetings currently scheduled.

Sep 22, 2009	9:30 am	Regular Session
Sep 22, 2009	12:00 pm	Lunch with Montgomery County Planning Board
Sep 29, 2009	9:30 am	Regular Session
Sep 29, 2009	12:00 pm	Lunch with County Attorney
Oct 6, 2009	9:30 am	Regular Session
Oct 6, 2009	12:30 pm	Lunch with Washington Suburban Sanitary Commission
Oct 13, 2009	9:30 am	Regular Session
Oct 20, 2009	9:30 am	Regular Session
Oct 27, 2009	9:30 am	Regular Session

FUTURE PUBLIC HEARINGS

To testify call 240-777-7931

Sep 22, 2009

1:30 pm Resolution regarding Spending Affordability Guidelines for FY11 Capital Budget and FY11-16 CIP
1:30 pm Special appropriation to the MNCPPC's FY10 Operating Budget, Department of Parks, Enterprise Fund - \$150,000 for the Sligo Creek Golf Course
7:30 pm 2009-2011 Growth Policy

Sep 29, 2009

1:30 pm Supplemental appropriation to the County Government's FY10 Operating Budget, MCFRS - \$1,001,910 for (FEMA) National Urban Search and Rescue (US&R) Response System Grant
7:30 pm **Public forum** on Speed Control Strategies

Oct 6, 2009

1:30 pm Supplemental appropriation to the MNCPPC'S FY10 Capital Budget - \$2,214,000 for the Montgomery Regional Office Renovations
1:30 pm Amendment to the MNCPPC's FY09-14 Capital Improvements Program - \$1,385,681 for SilverPlace/MRO Headquarters Mixed-Use Project, to change the funding source from Certificates of Participation (COPs) to County Current Revenue
7:30 pm **Public forum** on Executive Regulation 03-09, Agricultural Land Preservation Easement Purchases (Building Lot Termination Easement Program)

NOTE: This forum was originally scheduled for September 17, 2009.



If you need services to participate in any Council activity, please contact us as far in advance as possible: 240-777-7900 (TTY 240-777-7914) Email: County.Council@montgomerycountymd.gov. This document is available in alternative formats upon request.



Montgomery County Council
Legislative Information Services

Packet Index

Tuesday, September 15, 2009

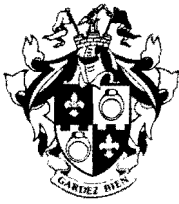
Item Number	Note	Staff
Agenda Item #3	This item will be available on Monday, September 14, 2009. Action has been postponed until September 22, 2009.	Orlin
Agenda Item #14	Introduction is moved to September 22, 2009 and the Public Hearing will be moved to October 27, 2009.	Zyontz

10:05 **GENERAL BUSINESS**

(Lauer)

A. Announcement - Agenda and Calendar Changes

- The public hearing on the **White Flint Sector Plan** will be held on October 20, 2009 at 7:30 pm.



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ADDENDUM

Tuesday, September 15, 2009

10:05 **PRESENTATION** - Proclamation in recognition of National Alcohol and Drug Addiction Recovery Month, by Councilmember Trachtenberg

(2) 10:10 **CONSENT CALENDAR**

Change: D. **Introduction** - Resolution to approve categorical transfer of \$7,700,000 for MCPS' FY09 Operating Budget and categorical transfer of \$1,205,000 in grant funds (McGuire)

2:15 **DISTRICT COUNCIL SESSION** (*continued*)

Deferred (14) B. **Introduction** - Zoning Text Amendment 09-08, Commercial Residential (CR) Zones - Establishment, sponsored by the District Council at the request of the Planning Board (Zyontz)

NOTE: *Introduction of the CR Zone has been moved to 9/22/09; the hearing will be held on 10/27/09.*



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ADDENDUM #2

Tuesday, September 15, 2009

Deferred: (3) 10:15 **WORKSESSION** - I-270/Corridor Cities Transitway (CCT) Project Planning Study (Orlin)